

ADMINISTRATIVE PANEL DECISION

American Society of Hematology, Inc. v. naluepon sribunrueang
Case No. D2025-2317

1. The Parties

The Complainant is American Society of Hematology, Inc., United States of America (“United States”), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

The Respondent is naluepon sribunrueang, Thailand.

2. The Domain Name and Registrar

The disputed domain name <ashblood.online> (the “Disputed Domain Name”) is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 13, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 16, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Name which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on the same day.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 23, 2025.

The Center appointed Mariia Koval as the sole panelist in this matter on July 24, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is the one of the world's largest professional society serving both clinicians and scientists around the world in the field of hematology who are working to conquer blood diseases. The Complainant was formed as an association more than 60 years ago in 1958 and has grown to more than 18,000 members from nearly 100 countries. The Complainant's mission is to further the understanding, diagnosis, treatment, and prevention of disorders affecting the blood, bone marrow, and the immunologic, hemostatic and vascular systems, by promoting research, clinical care, education, training, and advocacy in hematology.

The Complainant owns numerous ASH and BLOOD trademark registrations (collectively, the "ASH Trademarks") in various jurisdictions, among which are:

- United States Trademark Registration for ASH, No. 3253642, registered on June 19, 2007, in respect of goods and services in classes 16 and 35;
- United States Trademark Registration for ASH, No. 5570785, registered on September 25, 2018, in respect of goods and services in classes 9, 16, 35, 36, 41 and 42;
- Thailand Trademark Registration for ASH No. 221121248, registered on July 12, 2022, in respect of services in class 35;
- United States Trademark Registration for BLOOD, No. 4069976, registered on December 13, 2011, in respect of goods in class 16;
- International Trademark Registration for BLOOD, No. 1374140, registered on September 15, 2017, in respect of goods and services in classes 9, 16 and 41.

The Complainant is active online and is operating domain name <ashpublications.org>. The Complainant also operates social media platforms, particularly LinkedIn and YouTube.

The Disputed Domain Name was registered on April 6, 2025. As of the date of filing of the Complaint, and of this Decision, the Disputed Domain Name resolves to an inactive website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, the Complainant contends that the Disputed Domain Name is confusingly similar to the Complainant's ASH Trademarks since the Disputed Domain Name comprises the Complainant's ASH Trademarks in their entirety.

The Complainant further asserts that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name in view of the following:

- the Respondent is not commonly known by the Disputed Domain Name;

- the Complainant has not authorized the Respondent to use the ASH Trademarks nor is the Respondent a licensee of the ASH Trademarks;
- the Disputed Domain Name effectively impersonates and suggests sponsorship or endorsement by the Complainant, that does not exist, and therefore the Respondent cannot legitimately claim any rights or legitimate interests in the Disputed Domain Name;
- the Respondent cannot assert that it has been using the Disputed Domain Name, prior to any notice of the present dispute, in connection with a bona fide offering of goods or services or that it has made demonstrable preparation to do so. Passive holding of the Disputed Domain Name incorporating the Complainant's well-known ASH Trademarks does not normally amount to a bona fide use.

The Complainant further contends that the Respondent registered and is using the Disputed Domain Name in bad faith. The Disputed Domain Name wholly incorporates the ASH Trademarks, which notoriously connected to and associated with the Complainant that, on its face the registration of the Disputed Domain Name lacks any plausible justification for its registration other than to target the ASH Trademarks and the goodwill associated therewith.

The Complainant further claims that the Respondent's bad faith registration of the Disputed Domain Name is established by the fact that the Respondent knew of, or should have known of, the Complainant's prior existing rights in the ASH Trademarks yet the Respondent still proceeded to register the Disputed Domain Name despite the Complainant's prior existing ASH Trademarks rights. The Complainant has been using its ASH Trademarks for decades prior to the Respondent's registration of the Disputed Domain Name, the Respondent had at least constructive but more likely has actual knowledge of Complainant's ASH Trademarks and a simple Google search would have definitively provided the Respondent with notice of the Complainant's rights.

Regarding the Respondent's use of the Disputed Domain Name in bad faith, the fact that the Disputed Domain Name does not resolve to an active website and is being passively held does not obviate a finding of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant to succeed must satisfy the panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Disputed Domain Name completely reproduces the Complainant's ASH Trademarks in combination with the generic Top-Level Domain ("gTLD") ".online". Accordingly, the Disputed Domain Name is identical to the Complainant's ASH Trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

There is no evidence that the Complainant has licensed or otherwise permitted the Respondent to use its ASH Trademarks or to register the Disputed Domain Name which is identical to the ASH Trademarks. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name.

The composition of the Disputed Domain Name – being identical to the marks ASH and BLOOD – carries a high risk of implied affiliation with the Complainant (see [WIPO Overview 3.0](#), section 2.5.1). The Panel is of the opinion that there is no evidence that the Respondent is using the Disputed Domain Name to offer bona fide goods or services or making a legitimate noncommercial or fair use. On the contrary, as at the dates of filing of the Complaint and this Decision the Disputed Domain Name resolves to an inactive website.

Finally, the Respondent did not respond to the Complainant's contentions and did not participate in this proceeding, respectively, the Respondent did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent registered and is using the Disputed Domain Name in bad faith in view of the following. The Complainant obtained the registration of the ASH Trademarks at least 15 years earlier than the Respondent registered the Disputed Domain Name in 2025. Taking into account all circumstances of this case, the Panel finds that the Respondent was very well aware of the Complainant's business and its ASH Trademarks when registering the identical Disputed Domain Name.

The Panel considers it is bad faith that the Respondent deliberately chose the Disputed Domain Name to create a likelihood of confusion with the Complainant's ASH Trademarks, so as to create a false association or affiliation with the Complainant.

Moreover, while the Disputed Domain Name resolves to an inactive website, it has been established that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Given the Complainant's well-reported involvement and reputation in the medical industry, and the composition of the Disputed Domain Name, such passive holding does not prevent a finding of bad faith.

In view of the absence of any evidence to the contrary and that the Respondent did not file any response to claim otherwise, the Panel concludes that the Respondent has registered and is using the Disputed Domain Name in bad faith.

Therefore, the Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Name <ashblood.online> be transferred to the Complainant.

/Mariia Koval/

Mariia Koval

Sole Panelist

Date: August 7, 2025